

# *The Advisor*

## *Region Legal Service Office Southeast*



### Highlights:

- Placing service members on legal hold
- Using Military Working Dogs for searches on base
- Tax guidance for military spouses

### LCDR Jim Kennedy, Director of Command Services

It's heating up out there! No, not the weather—the political landscape. Summer and fall 2016 promise to be full of excitement as the major parties pick their candidates and as the people then vote for their new President. Whether you "feel the Bern" or want to "Make America Great Again," it's very important for every commander and commanding officer to be familiar with Department of Defense restrictions on the ability of military members and civilian employees to engage in political activities. The rules are sometimes nuanced (yes, you can "like" Hillary Clinton on Facebook, but you can't ask others to "like" her), so be sure to refer to the controlling regulations as well as the 2016 DoD Public Affairs Guidance (PAG) for Political Campaigns and Elections. I've already referred to the PAG several times this election season, and I've found it to be a great resource. In addition to the PAG, your local RLSO SE Command Services attorney is always available to help!

Since this will be my last "Advisor" as Command Services director, I wanted to take up a few lines to express my gratitude for the hard work that the Command Services Directorate—officer, enlisted, and civilian—does every day. Your accomplishments never cease to amaze me, and your dedication and professionalism made my job easy. Fair winds and following seas to all of you!

## Non-Federal Entities: What Are They and What Can We Do With Them?

*LT Emily Daniels, Staff Judge Advocate, Naval Air Station Meridian*

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Ref (a) DoDI 1000.15, (b) CNICINST 11000.1, (c) Joint Ethics Regulation (JER) 3-211

Understanding how non-Federal entities (NFEs) work is essential to correctly address fundraising and other ethical issues on base. An NFE is defined in reference (a) as a "self-sustaining organization, incorporated or unincorporated, that is not an agency or instrumentality of the Federal government. Membership of these organizations consists of individuals acting exclusively outside the scope of any official capacity as officers, employees, or agents of the Federal Government. Non-Federal entities include any state, interstate, Indian tribal, or local government, as well as private organizations." Examples of NFEs are the American Red Cross, spouse clubs, and First Class Petty Officer's Associations.

In considering an NFE's request to operate on base, the installation commanding officer (ICO) should answer the following questions outlined in reference (b): 1) does the organization meet the minimum requirements to operate on base? 2) has the organization provided documentation to show that it meets those requirements? and 3) is installation support of the NFE permissible under the ethics rules?

**Step 1: Minimum Organization Requirements.** References (a) and (b) enumerate basic organizational requirements for NFEs to operate on base. Reference (b) requires that in granting membership, the organization does not unlawfully discriminate based on race, color, creed, sex, age, disability, or national origin. The NFE must also have clearly defined management roles and responsibilities. Finally, the organization must be responsible and

*Continued on page 2.*

## Non-Federal Entities (cont'd)

liable for its own operation, including the removal of any property it has on the installation when the NFE becomes defunct or moves off base. Enclosure (2) of reference (a) lists additional guidelines. Included in those guidelines are two restrictions that NFEs tend to struggle with: improper use of a DoD logo or unit name and competition with MWR activities. NFEs may not use organizational logos without a specific license to use the logo and must use a disclaimer on all materials with the logo or the unit name. Likewise, NFEs may not compete with MWR services, particularly in fundraising efforts.

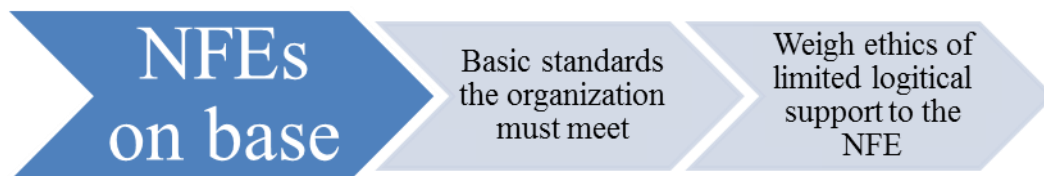


**Step 2: Documenting the Organizational Requirements.** To operate on base, an NFE must have 1) a charter or by-laws, 2) insurance or an approved insurance waiver request, and 3) background checks for members who work with minors. The Charter must describe the conditions required in Step 1, which includes, but is not limited to: membership eligibility, management roles, member liability, and property-removal obligations. If the NFE is chartered off-base and is only requesting occasional support from the base, the ICO may grant a waiver of the charter requirement on a case-by-case basis. The NFE must also provide either proof of liability insurance or request a waiver from the ICO (BOOFOO organizations only). Background checks are required for any individuals who work with minors but may be required by base security in some other circumstances.

**Step 3: Analyzing the Ethics of Support.** The ICO should consider the ethics of supporting the NFE because operating on base requires at least the use of space and facilities. Reference (c) outlines the conditions under which a base can provide limited logistical support to NFEs. Limited logistical support can be provided when doing so 1) does not interfere with official duties, 2) serves community relations or military training interests, 3) is appropriate for DoD association, 4) is of interest to the local civilian community or to the DoD, 5) could be similarly supported if hosted by a like organization, 6) does not require support that is otherwise prohibited by law, and 7) does not charge an admission fee in excess of the reasonable cost of hosting the event. More extensive use of DoD facilities (including exclusive use of a space) would require a license or lease per reference (b).

ICOs considering whether or not to permit NFEs on base should tailor relationships with NFEs in such a way as to minimize an appearance of endorsement. They should also set local procedures for interacting with NFEs to both minimize the appearance of endorsement and to facilitate proper administration of these policies.

NFEs are not generally entitled to DoD support, but those constraints are somewhat relaxed for BOOFOO organizations. Additionally, JER 3-210(a) does allow for official endorsement of BOOFOO fundraisers by DoD employees so long as those fundraisers only solicit funds from DoD personnel and their dependents. Since BOOFOOs can fundraise on base with the ICOs approval, the requirements of JER section 3-211 do not apply.



## Leadership Responsibilities for SAPR

*LT Medardo Martin, Staff Judge Advocate, Naval Station Mayport*

Sexual assault is at the forefront of legal issues facing commanding officers in today's military. With frequent changes in law and policy coming from Washington, it is critical that commanding officers, JAGs, and legal officers stay well informed. Recent changes deal with three main areas: Victim Advocate privilege, retaliation, and sexual assault initial disposition authority and case disposition reporting requirements. This article is intended as a brief summary of these three areas of law to prepare leadership for the requisite training.

**Victim Advocate Privilege:** OPNAVINST 1752.1C imposes new requirements on commanding officers and other senior leaders to obtain training on Military Rule of Evidence (MRE) 514 within 30 days of assuming command. MRE 514 covers the Victim Advocate-Victim Privilege and the Department of Defense Safe Helpline Staff-Victim Privilege. While MRE 514 is a rule that deals with courts-martial evidence, commanders must be aware that communications between victims and Victim Advocates are confidential, even in the initial stages of a report. Before commanders, or others, determine they need to know details of communications between victims and advocates, they should consult with a Staff Judge Advocate.

**Retaliation Based on Report of Criminal Activity:** SECNAVINST 5370.7D prohibits acts of retaliation against a member based on the reporting of a criminal offense. Retaliation includes taking adverse action against, ostracizing, or committing maltreatment against a member who has reported a criminal offense. Such retaliation is now specifically prohibited and, when warranted, may be punishable as a violation of a lawful general order (Article 92 of the UCMJ). Retaliation can be an offense whether committed peer to peer, senior to subordinate, or even subordinate to senior. It is the responsibility of commanding officers to ensure good order and discipline, protect victims' rights, and encourage reporting of offenses. This responsibility means that members can be held accountable if retaliation is occurring.

**Disposition Authority and Reporting Requirements:** Per the Secretary of Defense, only Special or General Court Martial Convening Authorities in the paygrade of O-6 or higher can serve as the initial disposition authority for several Article 120 and Article 125 offenses and attempts to commit these offenses, along with collateral misconduct by the victim relating to these offenses. Additionally, upon receiving an initial unrestricted report of a sexual assault, a commander must complete several requirements under OPNAVINST 1752.1C, to include contacting the SARC, consulting with NCIS, ensuring the initial disposition authority is advised of the allegations and investigation results, ensuring compliance with the SAPR program reporting requirements for unrestricted reports of sexual assault, and other requirements which are included in the "Commanders Checklist" found in OPNAVINST 1752.1C, appendix 2B. Bottom line: if you are not an O-6, don't be the senior officer with the secret! The reported offense needs to go to your ISIC for initial disposition. When in doubt, consult your nearest Staff Judge Advocate.



Dealing with sexual assault is always fraught with difficulty given the sensitivities due to victims, the rights of the accused, and the ever-changing, and often confusing, state of the law. RLSO SE Command Services is here to help. Never hesitate to reach out on these complex issues.

## Utilization of Drug Detection Dogs

LN2 (SW/AW) Matthew Feeney, Naval Construction Battalion Center Gulfport, Staff Judge Advocate's Office

Do you ever wonder why dogs are such a vital asset for Naval Security Forces? Naval Security Forces use Military Working Dogs (MWDs) to enforce military laws and regulations. The MWD program has several different types of teams. These teams consist of one certified MWD and one certified handler, who is typically a military or civilian police officer with special MWD training. Below are some answers to commonly-asked questions about the Navy's MWD program.

**What are DDDs?** The drug detection dog teams (DDD) are capable of detecting drugs that a human alone would not be able to detect. In order for the DDD team to legally provide probable cause, records must be maintained to validate all the training that both the military working dog and handler have completed. These records should be maintained in a 'probable cause folder' for a search granting authority to review prior to conducting a search with a DDD team.

**Can we use DDDs for searches?** Yes. While MWDs will not be able to search individuals for safety reasons, they can be used for searches of barracks, other buildings, and vehicles. On-base searches and inspections are conducted under the direction of the search granting authority (typically the commanding officer of a base or higher authority). To use a DDD team for health and comfort inspections, start by having the search granting authority review the probable cause folder for the DDD team. This way, should the dog get a "hit" during the inspection, much of the leg-work to authorize a Fourth Amendment search will have been done. When the dog "sits" or otherwise indicates contraband (drugs, explosives), the team should "freeze the scene" and seek authorization for a Fourth Amendment search, separate from the health and comfort inspection being conducted. This is because the Fourth Amendment to the U.S. Constitution prohibits unreasonable searches and seizures in places where a person enjoys a reasonable expectation of privacy, such as a barracks room. If the evidence from such a search might be used in a disciplinary proceeding, the Fourth Amendment applies, and the commander must give authorization for the search to continue. If the fruits of the search are only intended to be discarded after a health and comfort inspection, the Fourth Amendment does not apply and the evidence cannot later be used for disciplinary purposes.



**What legal guidelines apply?** Before commencing a health and comfort inspection with MWDs, have the search approval authority review the probable cause folder with the record of training completed by the MWD and its handler. After this process is complete, both the handler and the dog will be allowed to conduct searches. Make sure the Security Officer also gets a copy of the review and authorization.

**Practice Points.** In conclusion, for smooth execution when conducting searches with MWDs, be sure to (1) ensure that the search granting authority has reviewed the probable cause folder for each team prior to conducting any search, (2) initiate the health and comfort search, and (3) "freeze the scene" and contact the search granting authority to seek approval for a Fourth Amendment search should the animal indicate that it has detected contraband.

## Physical Fitness Assessment Failure

LN2 (AW) David Blake, Navy Recruiting Command Millington, Staff Judge Advocate's Office

As another Physical Fitness Assessment (PFA) approaches so does the possibility of a PFA failure. In evaluating questions as to whether or not a sailor may face separation due to a PFA failure, NAVADMIN 061/16, MILPERSMAN 1910-170 and NAVADMIN 178/15 are the go-to references. MILPERSMAN 1910-170 provides the necessary information regarding the Separation Authority (COs with special court-martial convening authority or higher), policy for mandatory processing, procedures for notification of the sailor, characterization of service, and other administrative issues associated with separation.

In addition to MILPERSMAN 1910-170, NAVADMIN 178/15 offers updates on PFA failure and provides new tools to the commanding officer to ensure evaluation of a sailor's overall health. Commanding officers may conduct PFA Spot Checks, for example, to ensure their command is on track for the BCA and PRT. *Continued on page 6.*



## Military Spouses Residency Relief Act (MSRRA) (Public Law 111-97)

*LT Frank R. Santa Maria, Legal Assistance Attorney, RLSO SE BROFF Gulfport*

Tax season can be a stressful time for military families, as it requires filing their state taxes with their domicile state or 'home' state. For service members domiciled in states that have no income taxes or waive income taxes for active duty service members, this can be a financial boon protected by law under the Servicemembers Civil Relief Act (SCRA).

Under § 571 of the SCRA (50 U.S.C. Appx. § 571), 'Residence for tax purposes,' "[A] service member shall neither lose nor acquire...domicile for purposes of taxation...by reason of being absent or present in any tax jurisdiction of the United States solely in compliance with military orders."



But what about service members' spouses? In 2009, the Military Spouses Residency Relief Act (MSRRA) amended the SCRA to allow similar protections. Its stated purpose is to amend the SCRA to guarantee the equity of spouses of military personnel with regard to matters of residency. To maintain state tax domicile in the 'home' state, a spouse must: (1) be present outside their original domicile, (2) accompany their spouse solely to be with the servicemember in compliance with military orders, (3) share a domicile with the servicemember, and (4) receive income in the 'non-home' state only for "services performed."

The protections allow the spouse to remain a legal resident (domiciled) in his or her 'home' state. The spouse must now comply with the tax laws applicable

to military spouses in that 'home' state jurisdiction. If the tax laws of the 'home' state require military spouses to pay income taxes, the spouse would likely owe state taxes in that state even if the military member is exempt.

Note a few key points about domicile: Domicile is established through contacts with the state (i.e. driver's license, voting, professional licenses, property ownership, leases, will, etc.). A determination of domicile will be fact specific. Domicile cannot be subjectively chosen for one's benefit. A test for domicile is whether there are sufficient contacts with the state, whether physical presence existed, and whether an intent to return after being away exists. Domicile can change when new contacts are established and the individual does not intend to return to the old home state.

Per the MSRRA, not all income is protected from the 'non-home' state. Income from real property or income earned from establishing a business with gross sales receipts in the 'non-home' state would make that income taxable because it is not for "services performed by the spouse" as defined in the MSRRA. If a spouse is considering starting a business, get professional legal and tax advice (please note that this article is not intended as legal advice—only introductory guidance). Furthermore, the spouse cannot remain in the "non-home" state after the service member executes accompanied orders and still receive MSRRA protections as this violates the requirement of residing in the 'non-home' state "solely to accompany spouse." Finally, it is unclear what protections are available when the service member and spouse live in a different state than the duty station state (ie. living in Jacksonville but working in Kings Bay). In that scenario, seek professional legal and tax advice.

## MSSRA (cont'd)

A few examples might be helpful in determining a military spouse's tax status. Keep in mind that these are only examples, and be sure to seek direct legal advice before filing taxes.

1.) Married couple from Pennsylvania; Sally enlists and receives orders to Virginia. Couple buys duplex property in Virginia Beach and rents out the second unit. Bob works part time while running a home based business. What are Bob's state filing requirements? Bob may have to file in VA for both the real property rental income and his VA based business. Seek professional tax and legal advice.

2.) Civilian spouse Sally desires to stay in San Diego for career opportunities when service member husband Bob receives one year unaccompanied orders to Bahrain. Sally and Bob both claim FL as their domicile. Does Sally have to file state taxes given FL does not have a state income tax? The issue is whether Sally's presence in CA is now "solely to accompany" Bob. One could argue Sally is in CA at this point because of her own career and not because of current orders, so the MSRRRA does not apply. On the other hand, one could argue that Sally went to CA solely due to orders and it is against the intent of the statute for a spouse to lose state tax domicile when she cannot accompany Bob to the current locale or reasonably be expected to return to FL. Because she cannot accompany Bob, MSRRRA protections probably apply; however, at some point, she might establish domicile in CA because of contacts. Seek professional tax and legal advice.



3.) Texas civilian married couple; Sally joins JAG Corps and gets stationed in New Jersey. Couple falls in love with the wide open spaces, warm temperatures, and independent living of New Jersey. Bob gets a NJ driver's license, registers as a NJ voter and buys property in NJ. What are Bob's tax filing requirements? Issue is whether Bob changed his domicile. Is there intent to return to Texas once the service member's service ends? What contacts are left to the original domicile? Given there are no Texas state income tax obligations, Bob will have an incentive to claim he never changed his domicile from TX, and NJ will have incentive to challenge that claim. Seek professional tax and legal advice.

4.) Married couple; Bob is a Marine from Texas and meets civilian Sally in Virginia. Couple is married in Texas and move to Virginia due to orders. What is Sally's filing requirement for Virginia? Issue is whether Sally's domicile ever changed from Virginia. If not, she has a different domicile than Bob and MSRRRA does not apply.

## PFA Failure (cont'd)

Any BCA or PRT failures occurring during spot checks will not count toward administrative separation but may result in enrollment in the Fitness Enhancement Program (FEP). Since spot checks have no adverse impact on the sailor, this can be a helpful way to motivate sailors. Also, per NAVADMIN 178/15, as of 1 January 2016, all PFA (BCA or PRT) failures in the most recent 3 year period will reset to 1 failure. Furthermore, a Cycle 2 2015 BCA failure will not count as a carry-over failure, but a PRT failure incurred in Cycle 2 2015 will count as a carry-over failure.

Lastly, NAVADMIN 178/15 gives policy guidance that updates MILPERSMAN 1910-170 and OPNAVINST 6110.1J. No longer will a sailor get three PFA failures before mandatory processing. Effective 1 January 2016, a Sailor who fails two PFAs in a three year period (vice three in four years) shall be processed for separation. NAVADMIN 061/16 gives amplifying guidance on the recent changes and includes guidance on proper evaluation of a sailor who may have failed a PFA.



## Litigation-Report Investigations

*LN1 (SCW) Chelse Wilson, Navy Recruiting Command, Staff Judge Advocate's Office*

Litigation reports (LITREPs) can become very important in the wake of accidents that occur on base or involve DON personnel. The primary purpose of a LITREP is to document facts and gather evidence to protect the legal interests of the DON and the United States. LITREP investigations are used to investigate an incident that has the potential to result in claims or civil litigation against the DON for damage to real or personal property, personal injury or death caused by Navy personnel acting within their official duties, or on behalf of the DON as an affirmative claim for damage caused to DON property by non-DON personnel or by DON personnel not acting within their official duties. A LITREP **will not** be used in the event that an active-duty death has occurred.

### Convening a Litigation-Report Investigation

The Convening Authority (CA) must contact a judge advocate or OJAG Code 15 before convening the investigation. LITREPs are protected from disclosure under the attorney work product and attorney-client privilege. In order to maintain these protections, the investigation must be conducted under the direction and supervision of a supervisory judge advocate and protected from disclosure to anyone without an official need to know. Failure to follow these rules may result in the waiver of the privilege.

The following must be included in the convening order:

- (1) Identify the supervisory judge advocate, and direct the investigating officer (IO) to report to that judge advocate prior to collecting evidence;
- (2) Specifically state that "This investigation is being convened and your report is being prepared in contemplation of litigation and for the express purpose of assisting attorneys representing the interests of the United States in this matter;"
- (3) Caution the IO that the investigation and follow-on report may only be discussed with personnel having an official need to know; and
- (4) Direct a completion date, normally within 30 calendar days.

The convening order **will not** direct the IO to include opinions or recommendations.

### Litigation Report

The report must be prepared in accordance with the convening order and the guidelines set forth in the Judge Advocate General Manual (JAGMAN), Chapter 2. Appendix A-2-g of the JAGMAN contains a sample litigation report. The report will not contain statements signed by witnesses unless the statement is from a claimant or opposing party to litigation. When the report is completed it must be marked with "FOR OFFICIAL USE ONLY: LITIGATION/ATTORNEY WORK PRODUCT" on every page. The report must be signed by both the IO and the supervisory judge advocate.

### CA Action

When the CA receives the report, they shall review and either endorse the report in writing within 30 calendar days or return it to the supervisory judge advocate for further inquiry. The CA will not normally approve or disapprove the findings of fact but may comment on aspects of the report that affect the administration of the command. For example, the endorsement should indicate if any corrective action is warranted and a timeline for implementation. The CA's endorsement must state where the original evidence is preserved and be marked with "FOR OFFICIAL USE ONLY: LITIGATION/ATTORNEY WORK PRODUCT" on every page. The CA will forward the original report, plus one copy, to OJAG Code 15 via the staff judge advocate of the GCMCA in the chain-of-command. A copy will be kept at the convening command and marked "FOR OFFICIAL USE ONLY: LITIGATION/ATTORNEY WORK PRODUCT" and be safeguarded against improper disclosure. Code 15 is the sole denial and release authority for litigation-report investigations. The CA is not authorized to release LITREPs or their contents.

More information regarding LITREPS is available from your Staff Judge Advocate or OJAG at <http://www.jag.navy.mil/library/instructions/JAGMAN2012.pdf>

## Legal Hold for Active Duty and Reserves

*LT Matthew Heck, Naval Submarine Base Kings Bay, Staff Judge Advocate's Office*

A court-martial generally only has jurisdiction over active duty service members. Whenever a member of the command is facing potential disciplinary action, an important first step is to determine what their end of active obligated service (EAOS) date is. Members facing potential court-martial may need to be involuntarily extended on active duty in order to preserve jurisdiction over them. The involuntary extension of service members past their EAOS due to criminal proceedings may seem like an easy process on paper; however, the various moving parts can make it a complicated endeavor that requires attention to detail and consultation with a Staff Judge Advocate.

There are two processes to involuntarily place service members on legal hold due to pending criminal proceedings, one for active duty and another for reservists. When considering court-martial, please make sure to consult with a Trial Counsel to discuss the prosecutorial merit of the case and needed documentation to place the member on legal hold. However, only the command can place a member on legal hold.

### LEGAL HOLD FOR ACTIVE DUTY

The legal hold process for active duty Sailors is governed by MILPERSMAN 1160-050. Per paragraph 12, a service member can “be extended involuntarily beyond their EAOS as a result of apprehension, arrest, confinement, investigation, or filing of charges that may result in trial by court-martial, and any execution of any sentence thereof.” It is important to note the language “may result in trial by court-martial.” Placing a Sailor on legal hold does not require formal initiation of a court-martial with preferral and referral of charges nor does it obligate the Navy to bring the member before a court-martial. To effectuate the hold an NCIS investigation or command investigation into misconduct representing a violation of the UCMJ should be sufficient.

Administratively, the hold is put in place by coordination between member's command and the PSD that owns the member. The best practice is to send to PSD a signed memorandum from the commanding officer citing MILERSPMAN 116-050 and explaining the reason for the hold as well as a page 13 counseling chit signed by the member acknowledging they have been notified of the impending involuntary hold. Once PSD has received this paperwork they can place the member on legal hold.

### LEGAL HOLD FOR RESERVISTS ON ACTIVE DUTY

MILPERSMAN 1620-020 governs the legal hold process for reservists on active duty. For commands that employ reservists currently on active duty there are several additional steps in the process. Like active duty members, reservists currently on active duty may be involuntarily placed on legal hold due to impending criminal proceedings. The request will still be made to the local PSD. However, additional parties need to be notified of the hold, specifically: Assistant Secretary of the Navy (Manpower and Reserve Affairs), Navy Personnel Command (PERS-46 and PERS-00J), and Commander, Navy Reserve Forces. Although prior approval is not necessary, these commands may want to know the circumstances surrounding the legal hold, so coordinating with them beforehand is a best practice.

Both processes can be time consuming, especially when it comes to reservists. Here are a few final practice points. At a minimum, initiate the legal hold process approximately four weeks before the members scheduled EAOS to ensure enough time to put it in place. Even after the paperwork is submitted to PSD, the hold is not put in place until the day of the member's EAOS, so it is important to follow up with PSD in the days leading up to the hold to ensure that they have everything in order. Lastly, although an extension is typically 6 months, the command may request shorter or longer periods, so tracking how long the member is extended is important; the hold may need to be extended again if there are delays in the court-martial process. The legal hold process is not often used, but it is an important tool to effectuate good order and discipline within the command.



# Results of Recent Navy Region Southeast Courts-Martial

## GENERAL COURTS-MARTIAL

- At a General Court-Martial in Pensacola, a LT, USN was tried for sexual assault, fraternization, and a false official statement. The members found him guilty of all charges and sentenced him to a Dismissal and confinement for three years.
- At a General Court-Martial in Mayport, an MM3 pled guilty to sexual assault. The military judge sentenced him to a Dishonorable Discharge, reduction to E-1, and confinement for 6 months.
- At a General Court-Martial in Mayport, an MA1 was tried for attempted larceny, larceny, and wrongfully obtaining the PII of service members. The members found him guilty of all charges and sentenced him to a fine of \$18,500, forfeiture of \$1573.80 for three months, reduction to E-5, and confinement for 90 days.
- At a General Court-Martial in Mayport, an AZ1 pled guilty to aggravated assault. The members sentenced him to a reprimand, a Bad Conduct Discharge, reduction to E-1, and 1 year of confinement.
- At a General Court-Martial in Mayport, an MA1 was found guilty of assault consummated by battery and willfully disobeying a superior commissioned officer. The military judge sentenced him to a Bad Conduct Discharge, reduction to E-1, and 8 months confinement.
- At a General Court-Martial in Mayport, an HN pled guilty to conspiracy, larceny, wrongful distribution of a controlled substance, possession with intent to distribute a controlled substance, possession of controlled substances, and disobeying a sentry. The military judge sentenced him to a Dishonorable Discharge, a \$10,000 fine with a 2 year confinement penalty for non-payment, reduction to E-1, and 3 years confinement.
- At a General Court-Martial in Mayport, an ABE2 was sentenced for violation of a general order and wrongful sexual contact. The military judge sentenced him to 2 years confinement, reduction to E-1, and a Bad Conduct Discharge.
- At a General Court-Martial in Mayport, an AWO2 pled guilty to abusive sexual contact and unlawful entry. The military judge sentenced him to a Bad Conduct Discharge, reduction to E-1, and 9 months confinement.

## SPECIAL COURTS-MARTIAL

- At a Special Court-Martial in Jacksonville, a CSSN pled guilty to abusive sexual contact, violation of a lawful general order (sexual harassment), and assault consummated by a battery. The military judge sentenced him to a Bad Conduct Discharge, reduction to E-1, and confinement for 8 months.
  - At a Special Court-Martial in Mayport, a PR1 pled guilty to wrongful distribution of a controlled substance and two assaults consummated by a battery. The military judge sentenced him to a reprimand, reduction to E-5, and 90 days hard labor without confinement.
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*Region Legal Service Office Southeast (RLSO SE) supports the operational readiness of Department of Navy assets in the Southeastern United States by providing responsive, timely and accurate legal guidance, support services and training in the areas of military justice and administrative law. RLSO SE headquarters is located onboard Naval Air Station Jacksonville, Florida and has detachments throughout the Region and Guantanamo Bay, Cuba. RLSO SE geographic area of responsibility includes the states of Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina, Tennessee, Missouri, Oklahoma, Kansas, Arkansas, and Texas as well as Cuba, Puerto Rico, South America and portions of Mexico.*

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Naval Station Mayport	(904) 270-6289 x1801—DSN 270
Naval Submarine Base Kings Bay	(912) 573-4732—DSN 573
Naval Air Station Key West	(305) 293-2833—DSN 483
Naval Station Guantanamo Bay	011-53-99-4834—DSN 660
Naval Air Station Pensacola	(850) 452-4402—DSN 459
Naval Air Station Meridian	(601) 679-2340—DSN 637
Naval Construction Battalion Center Gulfport	(228) 871-2627—DSN 868
Naval Air Station Joint Reserve Base New Orleans	(504) 678-9555—DSN 678
Naval Air Station Corpus Christi	(361) 961-3569—DSN 861
Naval Air Station Fort Worth Joint Reserve Base	(817) 782-7990—DSN 739
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